

Exhibit 41

Page 150	Page 152
1 MR. KORAL: You can ask, but you 2 better ask in writing. I will respond 3 when you ask in writing. 4 BY MR. AKIN: 5 Q Was there any other reports had an 6 impact on Mr. Gallo being terminated, besides 7 the audit report? 8 A No. 9 Q That was the only report? 10 A Yes. 11 Q Now, you also said "to clean 12 North America." 13 What did you mean by that? 14 A They wanted all the persons that were 15 involved in the managing administration and 16 legal things in North America, not to be any 17 more in that position. 18 Q Anything other than that? 19 A No. 20 Q Are you familiar with the term 21 "fraggio"? 22 A What? 23 Q F-R-O-C-C-I-O? 24 A Yes. 25 Q What does that mean?	1 A No. 2 Q Was there ever any kind of meeting 3 held, regarding discrimination in America? 4 A No. 5 Q Okay. Are you aware of Title 7 in 6 the United States, which states that employers 7 are not to discriminate against individuals 8 based on race, religion, color, creed, or 9 sexual orientation? 10 MR. KORAL: Objection. 11 And by the way, Counselor, Title 7 12 does not address sexual orientation. 13 MR. AKIN: Right. 14 MR. KORAL: Thank you. 15 BY MR. AKIN: 16 Q Are you aware of that? 17 A Not the specific title, but... 18 Q But? 19 A The content, yes, that you mentioned. 20 Yes. 21 Q I'm sorry? 22 A But the content that you read, yes. 23 Q But you are aware that an employer is 24 not to discriminate against individuals, based 25 on race, religion, color, creed, sexual
Page 151	Page 153
1 A It means, literally, "homosexual." 2 Q How do you feel about homosexuals? 3 MR. KORAL: Objection. 4 THE WITNESS: No problem at all. 5 BY MR. AKIN: 6 Q Anyone in Alitalia's management 7 that's homosexual, that you know of? 8 MR. KORAL: Objection. 9 THE WITNESS: Not that I'm aware. 10 BY MR. AKIN: 11 Q Are you aware of any policy that 12 Alitalia had, to terminate homosexuals? 13 A No. 14 Q Has anyone in Alitalia ever advised 15 you to discriminate against homosexuals? 16 A No. 17 Q Has anyone at Alitalia ever asked you 18 to discriminate against people who are older? 19 A No. 20 Q Was there ever a discussion had in 21 Alitalia, regarding discrimination in America? 22 A Be more precise? 23 Q Was there ever any conversations in 24 Alitalia – in Alitalia, about Alitalia 25 discriminating against individuals in America?	1 orientation -- based on, I'll say, whether it 2 be Title 7, Executive Law 296, or New York City 3 Administrative Code, Title 8-107. 4 Are you aware? 5 MR. KORAL: What is the question? 6 I'm -- I can't figure -- 7 MR. AKIN: If he's aware. 8 MR. KORAL: I don't even understand. 9 Can you read back the question, 10 please -- I'll reask the question. 11 BY MR. AKIN: 12 Q Are you aware, whether it be Title 7, 13 Executive Law 296; or New York City 14 Administrative Code, Section 8-107, that an 15 employer is not to discriminate against 16 individuals, employees, based on race, 17 religion, color, creed, or sexual orientation? 18 A I know the context. I wasn't aware 19 there was an Article 7. 20 Q But you are aware of the content? 21 A Yes. 22 Q But not the section of the statute? 23 A Yes. 24 Q Have you ever heard Mr. Libutti speak 25 adversely against homosexuals?

40 (Pages 154 to 157)

Page 154		Page 156	
1	A No.	1	INDEX
2	Q Have you ever heard Mr. Libutti speak	2	WITNESS EXAMINATION BY PAGE LINE
3	adversely against older people?	3	Mr. Galli Mr. Akin 5 6
4	A No.	4	INFORMATION REQUESTS
5	Q Have you ever heard anyone in	5	DIRECTIONS: Page 47, Line 4; Page 102, Line 8
6	Alitalia's management speak against homosexuals	6	Page 102, Line 14; Page 130, Line 5
7	or against older people?	7	Page 141, Line 6
8	A No.	8	RULINGS: None
9	Q Did Alitalia have a policy of	9	TO BE FURNISHED: None
10	terminating older employees and replacing them	10	REQUESTS: Page 148, Line 23
11	with younger employees?	11	MOTIONS: None
12	A No.	12	EXHIBITS
13	Q Did Alitalia have a policy of	13	GALLI FOR ID.
14	terminating anyone that they knew or suspected	14	NO. PAGE LINE
15	was homosexual?	15	No. 1 MARKED FOR IDENTIFICATION: 50 22
16	A No.	16	Copy of an agreement.
17	Q Did Mr. Gallo know Mr. Spazzadeschi?	17	Exh. 1 EXHIBIT PREVIOUSLY MARKED 53 4
18	MR. KORAL: Objection.	18	LIBUTTI NUMBER 1 ON
19	THE WITNESS: I don't know.	19	JANUARY 22, 2008: The
20	BY MR. AKIN:	20	agreement between
21	Q Down if Mr. Gallo knew Mr. Cestaro?	21	Mr. Gallo and Alitalia.
22	A I don't know.	22	No. 2 MARKED FOR IDENTIFICATION: 120 8
23	MR. AKIN: That's all I have.	23	An e-mail from Mr. Bruni.
24	Thank you very much.	24	No. 3 MARKED FOR IDENTIFICATION: 120 8
25	MR. KORAL: I may have a few	25	E-mail exchanges between
			Mr. Chisi and Mr. Libutti
			RE: station manager.
Page 155		Page 157	
1	questions for clarification. I want to	1	EXHIBITS
2	speak with Mr. Porru for a minute, so	2	(CONTINUED)
3	don't close the deposition.	3	GALLI FOR ID.
4	MR. AKIN: Sure.	4	NO. PAGE LINE
5	I'm just going to stop the tape while	5	No. 4 MARKED FOR IDENTIFICATION: 120 8
6	you take a break?	6	Document from Orlando to
7	MR. KORAL: Yes, that's a good idea.	7	Amuri, with a copy to
8	(Off the record at 12:07 p.m.)	8	Mr. Gallo.
9	(On the record at 12:10 p.m.)	9	No. 2 An e-mail from Mr. Bruni 123 11
10	MR. AKIN: And we are on.	10	No. 3 E-mail exchanges between 123 22
11	Back from the break.	11	Mr. Chisi and Mr. Libutti
12	MR. KORAL: Mr. Galli, I have no	12	RE: station manager.
13	questions.	13	No. 4 Document from Mr. Orlando 124 16
14	The deposition is closed.	14	to Mr. Amuri, with a copy
15	MR. AKIN: Thank you very much.	15	to Mr. Gallo.
16	THE REPORTER: Usual stip?	16	No. 5 MARKED FOR IDENTIFICATION: 125 16
17	MR. KORAL: Usual stip.	17	US Employee Handbook.
18	MR. AKIN: Usual stip.	18	Exh. C PREVIOUSLY MARKED EXHIBIT: 127 20
19	(DEPOSITION CONCLUDED: 12:10 P.M.)	19	Three-page document.
20		20	Exh. D PREVIOUSLY MARKED EXHIBIT: 127 23
21		21	Two-page document.
22		22	Exh. C PREVIOUSLY MARKED EXHIBIT: 128 12
23		23	Three-page document.
24		24	Exh. D PREVIOUSLY MARKED EXHIBIT: 128 15
25		25	Two-page document.
			Exh. C PREVIOUSLY MARKED EXHIBIT: 130 1
			Three-page document.